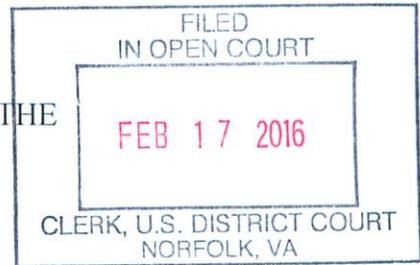


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



UNITED STATES OF AMERICA)
v.) CRIMINAL NO. 2:16CR 21
JON A. MILLER,)
Defendant.)

STATEMENT OF FACTS

The United States and the defendant, JON A. MILLER (“MILLER”), agree that at trial, the United States would have proven the following facts beyond a reasonable doubt with admissible and credible evidence:

1. On or about April 24, 2015, the defendant, MILLER, was an active duty member of the United States Navy, stationed at Naval Surface Combat Systems Command on Wallops Island, Accomack County, Virginia, within the special maritime and territorial jurisdiction of the United States of America and in the Eastern District of Virginia.
2. On or about April 24, 2015, the defendant, MILLER, logged onto an email account “aaron.jones9991@yahoo.com” by accessing the internet from his Navy Marine-Corps Intranet computer workstation. MILLER was the sole user of the “aaron.jones9991@yahoo.com” email account.
3. The defendant, MILLER, used his work computer to send an email entitled “Yummy” from his “aaron.jones9991@yahoo.com” email account through the internet to an individual utilizing the email account “iamlegendlarsson@gmail.com.” The email contained three pictures.

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C-SP*

4. The first picture sent in the email entitled "Yummy" depicts a minor female sitting with her pants pulled down and her legs spread, displaying her genitalia to the camera.

5. The second picture sent in the email entitled "Yummy" depicts a minor prepubescent female opening her mouth while an adult hand inserts an adult male penis into her mouth.

6. The third picture sent in the email entitled "Yummy" depicts a minor female, naked except for pink knee socks, lying on her back on a bed, with her legs spread to expose her genitalia to the camera, performing oral sex on an adult male's penis.

7. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the United States. It does not include each and every fact known to the defendant or to the United States, and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

8. The actions of the defendant, as recounted above, were in all respects knowing and deliberate, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

Dana J. Boente
United States Attorney

By:

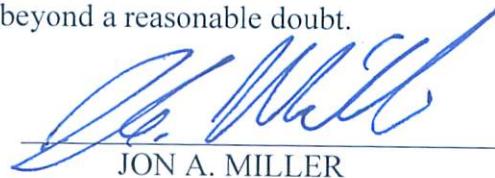
Alyssa K. Nichol

Alyssa K. Nichol
Special Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, JON A. MILLER, and the United States, I hereby stipulate that the

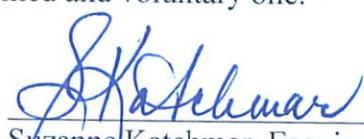
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above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.



JON A. MILLER

I am Suzanne Katchmar, Assistant Federal Public Defender and defendant's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.



Suzanne Katchmar, Esquire
Attorney for JON A. MILLER

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